

Interview Summary	Application No.	Applicant(s)	
	10/761,817	MILO, THOMAS K.	
	Examiner	Art Unit	
	Stephen M. Johnson	3641	

All participants (applicant, applicant's representative, PTO personnel):

(1) Stephen M. Johnson. (3)_____.

(2) Jonathan A. Withrow. (4)_____.

Date of Interview: 11 July 2006.

Type: a)☒ Telephonic b)☐ Video Conference
c)☐ Personal [copy given to: 1)☐ applicant 2)☐ applicant's representative]

Exhibit shown or demonstration conducted: d)☐ Yes e)☒ No.
If Yes, brief description: _____.

Claim(s) discussed: all claims.

Identification of prior art discussed: none.

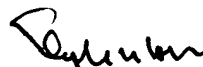
Agreement with respect to the claims f)☒ was reached. g)☐ was not reached. h)☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Exchanged telephone conversations and e-mails over a period starting on 7/11/2006. The conversations were directed to whether or not claims 1, 19, and 32 were generic to all species and whether all claims should be recombined in this application. The attorney convinced the examiner that they were and all claims were recombined in this application. It was also pointed out that the dependence of claim 11 must be corrected prior to allowance.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

STEPHEN M. JOHNSON
PRIMARY EXAMINER



Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Johnson, Stephen

From: Jonathan A. Withrow [jwithrow@faysharpe.com]
Sent: Tuesday, July 11, 2006 10:05 AM
To: Johnson, Stephen
Subject: RE: Serial No.: 10/761,817

Examiner Johnson:

This is in response to your e-mail of this morning.

The species of figs. 11A-11C does include "an expansion member sandwiched between the first compression member and the second compression member." The expansion tube 214 is disposed between, i.e. sandwiched between, the plug 212 (first compression member) and the rear compression base 216 (second compression member). The species of figs. 12A-12C also includes "an expansion member ...". Again, the expansion tube 214 is disposed between, i.e. sandwiched between, the plug 212 (first compression member) and the rear compression base 216 (second compression member). FIGS. 14A-14B also include the expansion tube 214 is disposed between, i.e. sandwiched between, the plug 212 (first compression member) and the rear compression base 216 (second compression member).

As for FIGS. 13A and 13B, page 45, line 23 of the specification states that "bore adjusting components C similar to those described above ... can also attach to the barrel plug assemblies described above." FIG. 13A uses the reference numeral 224, which is described with reference to FIGS. 9A - 9E as the extension rod assembly. The extension rod assembly in FIGS. 9A-9E includes a sliding extension rod 244 that moves within the bore 234 of the tubular plug extension 232. (See top of page 41 of specification).

As for claims 19 and 32, the selectively expandable portion refers to the expansion member that was recited in claim 1.

In the different embodiments depicted in the application, it is the extension rod assembly that changes throughout the different embodiments (with the exception of FIG 13 which discloses the addition of the outer expansion tube and FIG. 14 which depicts the addition of a flexible joint). Each embodiment includes the first four elements of claim 1. Each of the different embodiments also uses an adjustable rod assembly that includes tubular plug extension and a rod. It is how to fix the location of the rod with respect to the tubular plug extension that differs in each of the embodiments.

FIGS. 9A-9E use a sliding expansion tube 242 (FIG. 9E) as the engagement mechanism. The sliding expansion tube can deform such that a friction fit between the inner surface of the bore 234 (of the tubular plug extension 232) and the sliding expansion tube can be achieved when a compressive force is exerted on the sliding expansion tube. See pg. 40, lines 15-19.

FIGS. 10A-10C use a a flanged lip 272b and a bolt 268 as the engagement mechanism. The tapered portion 268c of the bolt 268 forces the flanged lip 272b radially outward so that the flanged lip moves into one of the notches 266 (inside the tubular plug extension 262) and engages the inner surface of the tubular plug extension. See pg. 43, lines 10-12.

FIGS. 11A-11C use a flanged lip 274b, a spring 284 and a sliding wedge plunger 282 as the engagement mechanism. The the spring 284 biases the sliding wedge plunger 282 towards the inner flange 274d, thus radially biasing the flanged lip 274b into one of the notches 266. See pg. 44, lines 12-14.

FIGS. 12A-12C use a sliding bearing plunger wedge 306, a ball 308 and a spring 312 as the engagement mechanism. Releasing the sliding bearing plunger wedge 306 results in the ball 308 traveling on the ramp 306a radially away from the longitudinal axis and towards the opening 298b (in the sliding extension rod 298). The sliding bearing plunger wedge 306 retains the ball 308 in the openings 298b and 296 (in the plug extension tube 292). See pg. 45, lines 18-21.

FIGS. 13A-13C disclose a slide-on expansion tube that attaches to the adjustable barrel plug assemblies described above. See pg. 45 lines 22-27.

FIGS. 14A-14B disclose that each of the above mentioned barrel plug assemblies can include a flexible joint 322. See pg. 45, lines 28-29.

I hope this helps you find that at least claim 1 is generic to all species.

Please call me if you would like to discuss this matter further.

Respectfully submitted,

Jonathan Withrow

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From: Johnson, Stephen [mailto:Stephen.Johnson@USPTO.GOV]
Sent: Tuesday, July 11, 2006 8:01 AM
To: Jonathan A. Withrow
Subject: RE: Serial No.: 10/761,817

To Mr. Jonathan A. Withrow,

Note that in order for a claim to be generic to all species that all claim limitations present in the claim must also be present in the associated species. In this regard, note that the species of figs. 11A-11C and the species of figs. 12A-12C lack "an expansion member sandwiched between the first compression member and the second compression member" (see claim 1). Further, note that the species of figs. 13A-13B lacks "a rod received in the tubular plug extension such that the rod can move with respect to the tubular plug extension" (see claim 1). Further, note that the species of figs. 14A-14B lacks "an expansion member sandwiched between the first and the second compression member" (see claim 1). Consequently, claim 1 cannot be considered generic to all species. Note that claims 19 and 32 claim "a selectively expanable portion" absent in at least the species of figs. 12A-12C

7/29/06

and the species of figs. 14A-14B.

Stephen M. Johnson
Primary Examiner
Group 3600

-----Original Message-----

From: Jonathan A. Withrow [mailto:jwithrow@faysharpe.com]
Sent: Wednesday, July 05, 2006 3:00 PM
To: Johnson, Stephen
Subject: Serial No.: 10/761,817

Examiner Johnson:

I have attached a spreadsheet to show how the independent claims in the application read on all species. Please call me when you have had a chance to review it.

Jonathan Withrow

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Johnson, Stephen

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Jonathan Withrow

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7/11/06

Claim 1	Species				
	C	D	E	F	G
a barrel plug assembly having					
a first compression member,	Fig. 10A, "plug" 212; page 42, line 6	Fig. 11A, "plug" 212; page 42, line 6	Fig. 12A, "plug" 212; page 42, line 6	Fig. 13B, "plug" 212; page 42, line 6	Fig. 14A, "plug" 212; page 42, line 6
a second compression member,	Fig. 10A, "rear compression base" 216; page 42, line 7	Fig. 11A, "rear compression base" 216; page 42, line 7	Fig. 12A, "rear compression base" 216; page 42, line 7	Fig. 13B, "rear compression base" 216; page 42, line 7	Fig. 14A, "rear compression base" 216; page 42, line 7
an expansion member sandwiched between the first compression member and the second compression member,	Fig. 10A, "expansion tube" 214; Page 39, Line 22	Fig. 11A, "expansion tube" 214; page 39, line 22	Fig. 12A, "expansion tube" 214; page 39, line 22	Fig. 13B, "expansion tube" 214; page 39, line 22	Fig. 14A, "expansion tube" 214; Page 39, Line 22
a joining member operatively linking the first compression member to the second compression member,	Fig 10A, "bolt" 210; Page 42, Line 26	Fig. 11A, "bolt" 210; page 42, line 26	Fig. 12A, "bolt" 210; page 42, line 26;	Fig. 13B, "bolt" 210; page 42, line 26;	Fig. 14A, "bolt" 210; Page 41, Line 24
an adjustable extension rod assembly extending from the second compression member	Fig. 10A, "adjustable extension rod assembly" 224a; page 42 line 9	Fig. 11A contains a "tubular plug extension" 262, "sliding wedge plunger" 282, "spring" 284, and "sliding extension rod" 274 which "can be adjusted". page 44 line 10.	Fig. 12A contains a "plug extension tube" 292, "sliding bearing plunger wedge" 306, "biasing member" 312, and "sliding extension rod" 298 used to "adjust the length of the barrel plug assembly". page 45, line 11.	Fig. 13B, "extension rod assembly" 224; page 39 line 24; "barrel length ... can be adjusted." page 45, line 27	
including a tubular plug extension	Fig. 10A, "tubular plug extension" 262; page 42 line 13	Fig. 11A, "tubular plug extension" 262; page 43 line 68	Fig. 12A, "plug extension rod" 292; page 44 line 20	Fig. 13A "Extension rod assembly" 224; page 39 line 24	Fig. 14A, "tubular plug extension" 232, page 45, line 31
a rod received in the tubular plug extension	Fig. 10A, "sliding extension rod" 272; page 42 line 26	Fig. 11A, "Sliding extension rod" 274; page 43 line 30	Fig. 12B, "sliding extension rod" 298; page 44, line 29		Fig. 14A "sliding extension rod" <i>unnumbered</i>
an engagement mechanism that selectively engages a surface of the tubular extension to fix the location of the slidable rod in relation to the tubular plug extension	Fig. 10B, "flanged lip" 272b, "bolt" 268, "threaded bore" 272a; page 43 line 11	Fig. 11B, "flanged lip" 274b, "spring" 284, "sliding wedge plunger" 282; page 44 line 14	Fig. 12B, "ball" 308 "ramp" 306a, "alignment opening" 298b; page 45 line 9	"can attach to the adjustable barrel plug assemblies described above." page 45 line 24	sliding expansion tube, similar to 242 in Fig. 9B

Claim 19	C	D	E	F	G
a barrel plug assembly including an adjustable rod assembly to adjust the length of the barrel plug assembly and	Fig. 10A, "adjustable extension rod assembly" 224a; page 42 line 9	Fig. 11A contains a "tubular plug extension" 262, "sliding wedge plunger" 282, "spring" 284, and "sliding extension rod" 274 which "can be adjusted". page 44 line 10.	Fig. 12A contains a "plug extension tube" 292, "sliding bearing plunger wedge" 306, "biasing member" 312, and "sliding extension rod" 298 used to "adjust the length of the barrel plug assembly". page 45, line 11.	Fig. 13B, "extension rod assembly" 224; page 39 line 24; "barrel length ... can be adjusted." page 45, line 27	
a selectively expandable portion to selectively engage the barrel of an associated gun	Fig. 10A, "expansion tube" 214; page 39, line 22	Fig. 11A, "expansion tube" 214; page 39, line 22	Fig. 12A, "expansion tube" 214; page 39, line 22	Fig. 13B, "expansion tube" 214; page 39, line 22	Fig. 14A, "expansion tube" 214; Page 39, Line 22
Wherein the adjustable rod assembly includes a tubular extension having an internal bore	Fig. 10A, "tubular plug extension" 262; page 42 line 13	Fig. 11A, "tubular plug extension" 262; page 43 line 68	Fig. 12A, "plug extension rod" 292; page 44 line 20	Fig. 13A "Extension rod assembly" 224; page 39 line 24	Fig. 14A, "tubular plug extension" 232; page 45, line 31
and a slidable rod received in the internal bore of the tubular extension	Fig. 10A, "sliding extension rod" 272; page 42 line 26	Fig. 11A, "Sliding extension rod" 274; page 43 line 30	Fig. 12B, "sliding extension rod" 298; page 44, line 29	Fig. 14A "sliding extension rod" <i>unnumbered</i>	
an engagement mechanism attached to the slidable rod that selectively engages an inner surface of the tubular extension to fix the location of the slidable rod in relation to the tubular	Fig. 10B, "flanged lip" 272b, "bolt" 268, "threaded bore" 272a; page 43 line 11	Fig. 11B, "flanged lip" 274b, "spring" 284, "sliding wedge plunger" 282; page 44 line 14	Fig. 12B, "ball" 308 "ramp" 306a, "alignment opening" 298b; page 45 line 9	"can attach to the adjustable barrel plug assemblies described above." page 45 line 24	sliding expansion tube, similar to 242 in Fig. 9B

Claim 32	C	D	E	F	G
a barrel plug assembly including:					
an adjustable rod assembly to adjust the length of the barrel plug assembly and	Fig. 10A, "adjustable extension rod assembly" 224a; page 42 line 9	Fig. 11A contains a "tubular plug extension" 262, "sliding wedge plunger" 282, "spring" 284, and "sliding extension rod" 274 which "can be adjusted". page 44 line 10.	Fig. 12A contains a "plug extension tube" 292, "sliding bearing plunger wedge" 306, "biasing member" 312, and "sliding extension rod" 298 used to "adjust the length of the barrel plug assembly". page 45, line 11.	Fig. 13B, "extension rod assembly" 224; page 39 line 24; "barrel length ... can be adjusted." page 45, line 27	Fig. 14A, "tubular plug extension" 232; page 45, line 31
a first selectively expandable portion configured to selectively engage the barrel of an associated gun, the adjustable rod assembly including	Fig. 10A, "expansion tube" 214; Page 39, Line 22	Fig. 11A, "expansion tube" 214; page 39, line 22	Fig. 12A, "expansion tube" 214; page 39, line 22	Fig. 13B, "expansion tube" 214; page 39, line 22	Fig. 14A, "expansion tube" 214; page 39, line 22
a tubular extension having an internal bore,	Fig. 10A, "tubular plug extension" 262; page 42 line 13	Fig. 11A, "tubular plug extension" 262; page 43 line 68	Fig. 12A, "plug extension rod" 292; page 44 line 20	Fig. 13A "Extension rod assembly" 224; page 39 line 24	Fig. 14A, "tubular plug extension" 232; page 45, line 31
a slidable rod received in the internal bore of the tubular extension and	Fig. 10A, "sliding extension rod" 272; page 42 line 26	Fig. 11A, "Sliding extension rod" 274; page 43 line 30	Fig. 12B, "sliding extension rod" 298; page 44, line 29		Fig. 14A "sliding extension rod" <i>unnumbered</i>
an engagement mechanism connected to the rod,	Fig. 10B, "flanged lip" 272b, "bolt" 268, "threaded bore" 272a; page 43 line 11	Fig. 11B, "flanged lip" 274b, "spring" 284, "sliding wedge plunger" 282; page 44 line 14	Fig. 12B, "ball" 308 "ramp" 306a, "alignment opening" 298b; page 45 line 9	"can attach to the adjustable barrel plug assemblies described above." page 45 line 24	
the engagement mechanism including a member configured to selectively move radially to selectively engage an inner surface of the tubular extension.	Fig. 10B, "flanged lip" 272b; page 43 line 11	Fig. 11B, "flanged lip" 274b; page 44 line 14	Fig. 12B, "ball" 308; page 45 line 9	"can attach to the adjustable barrel plug assemblies described above." page 45 line 25	